

REMARKS

I. Introduction

Claims 8 to 14 are pending in the present application. In view of the foregoing amendments and the following remarks, it is respectfully submitted that all of the presently pending claims are allowable, and reconsideration is respectfully requested.

II. Objection to Claim 8

Regarding the objection to claim 8, Applicants respectfully request authority for the statement that “[i]t has been held that the recitation that an element is ‘adapted to’ perform a function is not a positive limitation but only requires the ability to so perform.” Furthermore, the Examiner’s attention is respectfully directed to the decision of In re Venezia, 530 F.2d 956, 189 U.S.P.Q. 149 (C.C.P.A. 1976), which plainly sets forth that “adapted to” language imparts present structure to a claim. Accordingly, withdrawal of this objection is respectfully requested.

III. Rejection of Claims 13 and 14 Under 35 U.S.C. § 112, Second Paragraph

Regarding the rejection of claim 13 under 35 U.S.C. § 112, second paragraph, the Examiner will note that claim 13 has been amended herein without prejudice to depend from claim 10. Accordingly, it is respectfully submitted that this rejection as applied to claim 13 has been obviated.

Regarding the rejection of claim 14 under 35 U.S.C. § 112, second paragraph, the Office Action does not indicate how or why claim 14 is considered to be indefinite. Therefore, withdrawal -- or at least clarification -- is respectfully requested.

IV. Rejection of Claims 8, 9, and 12 to 14 Under 35 U.S.C. § 103(a)

Claims 8, 9, and 12 to 14 were rejected under 35 U.S.C. § 103(a) as unpatentable over the combination of U.S. Patent No. 4,958,269 (“Gritter”) and U.S. Patent No. 4,797,635 (“Hatcher”). It is respectfully submitted that the combination of Gritter and Hatcher does not render unpatentable the present claims for at least the following reasons.

Claim 8, for example, relates to a converter and recites the feature of a device adapted to sense currents fed to an electric motor powered by the converter, the device arranged inside the converter.

Contrary to the assertions on pg. 3 of the Office Action, it is plainly apparent that Gritter does not disclose, or even suggest, a converter or a device adapted to sense currents fed to an electric motor powered by the converter, the device arranged inside the converter as in claim 8. Rather, the motor of Gritter is energized by a direct current bus that is coupled to the motor by an inverter circuit. See col. 3, lines 5 to 7. Also, the current sensor 53 of Gritter is arranged on the direct current bus and not arranged inside a converter as in claim 8. See Fig. 2. Furthermore, the Office Action refers to claim 8 of Gritter, which refers to the current sensor of claim 7 of Gritter. This current sensor monitors the current in the direct current bus coupled to the motor through an inverter. See claim 7, col. 9, lines 27 to 29. Therefore the current sensor of Gritter also does not sense currents fed to an electric motor powered by a converter as in claim 8. Hatcher does not cure the critical deficiencies of Gritter. Thus, it is plainly apparent that the combination of Gritter and Hatcher fails to disclose all of the features included in independent claim 8, or any dependent claim depending therefrom.

In view of all of the foregoing, withdrawal of this rejection is respectfully requested.

V. Rejection of Claim 10 Under 35 U.S.C. § 103(a)

Claim 10 was rejected under 35 U.S.C. § 103(a) as unpatentable over the combination of Gritter, Hatcher, and U.S. Patent No. 6,559,735 (“Hoang et al.”). It is respectfully submitted that the combination of Gritter, Hatcher, and Hoang not render unpatentable claim 10 for at least the following reasons.

Claim 10 depends from claim 8 and therefore includes all of the features included in claim 8. As more fully set forth above, the combination of Gritter and Hatcher does not disclose, or even suggest, all of the features included in claim 8. Hoang does not cure the critical deficiencies of Gritter and Hatcher. As such, it is respectfully submitted that the combination of Gritter, Hatcher, and Hoang does not render unpatentable claim 10, which depends from claim 8.

In view of all of the foregoing, withdrawal of this rejection is respectfully requested.

VI. Rejection of Claim 11 Under 35 U.S.C. § 103(a)

Claim 11 was rejected under 35 U.S.C. § 103(a) as unpatentable over the combination of Gritter, Hatcher, Hoang, and U.S. Patent No. 3,922,606 ("Nordling"). It is respectfully submitted that the combination of Gritter, Hatcher, Hoang, and Nordling does not render unpatentable claim 11 for at least the following reasons.

Claim 11 ultimately depends from claim 8 and therefore includes all of the features included in claim 8. As more fully set forth above, the combination of Gritter and Hatcher does not disclose, or even suggest, all of the features included in claim 8. The combination of Hoang and Nordling does not cure the critical deficiencies of Gritter and Hatcher. As such, it is respectfully submitted that the combination of Gritter, Hatcher, Hoang, and Nordling does not render unpatentable claim 11, which ultimately depends from claim 8.


In view of all of the foregoing, withdrawal of this rejection is respectfully requested.

VII. Conclusion

It is therefore respectfully submitted that all of the presently pending claims are allowable. All issues raised by the Examiner having been addressed, an early and favorable action on the merits is earnestly solicited.

Respectfully submitted,

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